

From Public Debate to Public Dialogue

a guideline on public consultation in
SEA and EIA procedures in Romania



Developed in the framework of the Dutch-Romanian Government-to-Government programme



Foreword

Bucharest / The Hague, February 2010

Dear reader,

As a member of the European Union (EU), Romania is increasingly confronted with important policy decisions concerning highly relevant issues in the EU, such as liveability, accessibility, economic development and international cooperation. Such challenges require a strong socio-economic basis as well as the opportunity for citizens to be heard. The Dutch government has responded to a request by the Romanian government for assistance in improving the way in which the Romanian public is involved in decision-making processes.

It is my pleasure to present to you one of the results of the two-year cooperation between Romanian and Dutch experts on enhanced public participation. I sincerely hope this guideline contributes to a further optimisation of these processes in Romania. In as much as there is room for increased involvement of citizens in Romania, experience in The Netherlands and other European Member States has shown that although this can be an exciting and challenging process, discussions are still underway when it comes to improving public participation in decision-making.

I hope that you, the reader, will enjoy reading this guideline and that the many valuable suggestions contained in the guideline will inspire you to apply and test them as you put them into practice.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Hans Sandee', written in a cursive style.

Hans Sandee
Chargé d'Affaires a.i.
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Picture cover: *Participants during a public debate on the construction of a new motorway between Sibiu and Pitești (December 2009)*

Acknowledgement

The past two years, our Dutch project team successfully cooperated with a vast number of enthusiastic Romanian colleagues in the framework of the Dutch-Romanian Government-to-Government (G2G) programme. Several trainings, a number of workshops and plentiful meetings were held throughout the country on the challenging and interesting topic of public participation in EIA and SEA procedures. We also had the privilege to partake in two actual public hearings on the construction of a new motorway: it was a truly valuable experience.

We would sincerely like to thank the experts involved of the following organisations for their willing contribution to this G2G-project and for making us feel at home in beautiful Romania:

- The Ministry of Environment;
- The Ministry of Transport & Infrastructure and the General Directorate of Infrastructure and Naval Transport;
- The National Company for Motorways and National Roads;
- The National Environmental Protection Agency (NEPA); and
- Several Regional – and Local Environmental Protection Agencies.

We would also like to express gratitude to our local partner Mr. George Ilinca for his imperative contribution to the project, in which ‘communication’ played a prominent part.

Finally, we hope everyone enjoyed the bilateral cooperation as much as we did and we look forward to be back in Romania soon.

Yours truly,

*Quirien Engelhard
Ineke Steinhauer
Roos de Wildt
Niels Bijlsma
Sjoerd van Keulen*

1 This Guideline

The importance and the principles of good public consultation in EIA (Environmental Impact Assessment) and SEA (Strategic Environmental Assessment) procedures have been laid down in various international agreements, conventions and guidance documents. The Aarhus Convention is such a leading document in which public rights regarding access to information, public participation and access to justice, in governmental decision-making processes is granted on matters concerning the environment. This Convention and related EU Directives on public participation and access to information are adopted by all EU Member States, including Romania.

However, complying with the legal and procedural aspects of the EU Acquis is only a first incentive towards effective public participation. Effective participation can only be achieved in practice if a wide range of conditions is met. These conditions include a sound communication strategy as well as practical aspects like the availability of readable non-technical documentation, sound equipment and experts with communication skills.

This Guideline covers a great number of *do's* and *don'ts* regarding public consultation in EIA and SEA procedures, both in theory and in practice. It is targeted at a wide audience of Romanian stakeholders, i.e. national, regional and local authorities and organisations concerned with effective consultation of the public. Participation of the public, for example by means of public debates, is a key element in EIA and SEA procedures. The information included herein offers ample tools for organizing such public debates, in order to raise the chances of establishing a constructive dialogue between the government and the broader public.

Chapter 2 provides a general explanation of public participation in relation to EIA and SEA procedures, as well as an overview of its various components, including best-practice principles. **Chapter 3** outlines the whole public participation process via a hands-on six-step action plan. Recommendations on how to practically prepare an actual public debate are included in **Chapter 4**. Finally, **Chapter 5** comprehensively describes various techniques to enhance efficient and effective communication during the public debate itself.



Group exercises on practical tools for public participation (July 2009)

2 Public participation in EIA & SEA

2.1 The basics of public participation

Internationally, public participation has been recognised as one of the basic pillars of effective EIA and SEA, together with transparency and quality information.

What is public participation?

There are numerous definitions of public participation in relation to EIA and SEA. One of them is: *'a mechanism by which individuals give opinions/ideas or take actions in relation to plans, projects, activities and situations which are affecting them or will affect them, both positively as well as negatively'*. However, around the world, public participation is perceived differently and different levels of development exist, related to the two key elements: *'public'* and *'participation'*.

Who is the **public** in public participation?

- Local citizens (individuals) and communities (villagers) positively or negatively affected by the activity;
- Project beneficiaries (may also be beneficiaries in other parts of the country or even in another country);
- Local, national or international NGOs and businesses active in the area;
- Interested 'general public' in the country; and
- National and local government agencies with formal responsibilities in environment and social welfare.

What is understood by **participation** in public participation?

The following forms of participation can be distinguished:

- *Information exchange*: citizens are informed and may ask questions during public debates; there is no commitment to take them into account;
- *Consultation*: citizens are invited to comment on proposals; this may occur through surveys or in debates; authorities commit themselves to take them seriously but they cannot be held accountable for it;

- *Advising*: citizens may come up with their own problems and suggest solutions; authorities take it seriously and promise accountability on how the suggestions have been used;
- *Co-production*: stakeholders representing different interests co-design plans and projects with public officers and initiator; in principle these solutions are taken over but well-accounted justifications for amendments are possible; and
- *Co-decision-making*: stakeholders jointly design and adopt solutions.

Public participation in EIA/SEA develops from 'voice' to 'vote', however, the most advanced stage of shared decision making does hardly take place in practice. It is generally good practice to try to be as close as possible to the more advanced stages of public participation in the continuum of options as presented above. However, try to design a tailor-made participation process. In The Netherlands the following principle is leading: *"a simple participation process if possible and an extensive participation process if needed."*

Why undertake public participation?

Public participation can have one or more of the following objectives:

- Give information about the plan or project and its consequences;
- Get ideas or solve problems;
- Get feedback on existing ideas;
- Obtain local knowledge and information (corrective/creative);
- Increase public confidence;
- Evaluate ideas;
- Reach consensus or a better public acceptance;
- Avoid conflicts, create support; and
- Valuing of impacts (beneficiaries and non-beneficiaries).

As a result of public participation in EIA/SEA, the following effects can be expected:

- Improved quality of decision making;
- Less mistakes, reduced costs and less delays;
- Better understanding of potential impacts;
- Identification of alternative locations or designs and mitigation measures;

- Identification of controversial issues and a possible forum to resolve these;
- Assessment of the need for compensation of affected groups;
- Clarified values and trade-offs associated with different alternatives;
- Better acceptance of decisions, due to transparent procedures; and
- Increase of the public's confidence towards the government.

In **which cases** should the public participate?

Public participation is especially desired in controversial situations and for activities with severe environmental and social impacts. Moreover, public participation should be undertaken when:

- i) the options are open and public participation can still make a difference;
- ii) there is a clear idea of what the public is being asked to do; and/or
- iii) there is a commitment to take comments into account in decision-making.

Exemptions for public participation can be made for:

- Routine decisions;
- Confidential issues related international relations, national defence, public security, new confidential technologies; and
- Decisions in relation to emergency (flooding, earthquakes, etc.).

2.2 Components of public participation

When designing or improving a public participation system, various components should be considered. Below each of these components is discussed and best practice principles for effective EIA/SEA are mentioned.

Component 1: planning of public participation in the EIA/SEA procedure

Experience has shown that public participation is most effective when it takes place as early as possible in the EIA/SEA procedure, ideally applied both during the scoping and review phase. Each phase may require a different approach (information, consultation, advising, co-decision making, etc). The extent to which the public is able to influence or control decision making will vary according to the stage of the EIA/SEA procedure. It is important to clearly specify what the public is asked for. This could be elaborated based on the

previous section: *Why undertake public participation?* For each phase in the EIA/SEA procedure, objectives and expected results of public participation should be specified, because this determines which 'participation question' is posed to the public and therefore which shape the public participation process will get.

Best practice principles for this component

- Public participation should be initiated early into the life-cycle of a proposal/plan to build trust and increase opportunities to modify the proposal/plan; and
- Public participation should be well planned and structured: when all actors know the aims, rules, organisation, procedures and expected outcomes of a public participation process, the credibility of the process will improve.

Component 2: available time and funds for public participation

The available time should be sufficient for the public to read and discuss the project documentation and be able to come up with proper views and opinions. The timeframe for public participation can be fixed or variable according to the stage of an EIA/SEA procedure and/or to the characteristics of a project. More time could be spent in cases where a project will e.g. cause involuntary resettlement. In terms of funds, a fixed or variable budget reservation can be made for public participation throughout the EIA/SEA procedure. Funding mechanisms vary from payment for public participation by the authority and/or the proponent; in many cases the proponent pays for the public participation through an application fee.

Adequate funding has to be provided for the dissemination of EIA/SEA materials and organising public debates. This may include extra funds, e.g. for hiring a social scientist, for arranging a second opinion, for reimbursing travel costs to attend public debates, or for translating materials in a local language.

Ideally, a tailor-made public participation plan is designed for each project/plan, which requires proper coordination between authority and proponent.

Best practice principles for this component

- Reasonable timeframes for participation, including provision for participation at an early stage. Make sure that the planning of the public participation process fits well into the overall project planning. This guarantees that the results of the public participation process are available in time; and
- A right for the public concerned to access information that is relevant in the decision-making process.

Component 3: information required for public participation

Citizens should be informed about the possibility of public participation. Critical questions are whether the public is willing to make use of it ('culture' of participation, lack of interest to participate because environmental problems are not perceived as private problems, suspicion, apathy, belief that it will not make any difference). Is there sufficient local knowledge and comprehension about the scale and nature of impacts for local inhabitants? Is the volume and format of EIA/SEA material presented to the public adequate?

Best practice principles for this component

- Be open and transparent: equal access to all the information (e.g. Terms of Reference, EIA/SEA report and summary) for all stakeholders; and
- Timely and effective announcement to the public concerned.

Component 4: administrative- and legal structure of the process

Clear mechanisms have to be set, in order to deal with the following items:

- What are the objectives of public participation, in each stage of the EIA/SEA procedure?
- Is there sufficient capacity in relation to managing public participation?
- How to select which comments are relevant and which not?
- How to organise feedback: response to each and every comment? Only comments in relation to the environment? Always in written?
- How to deal with conflicts?
- How to give response to the issues raised?
- How is public participation documented (e.g. in a supplement to the EIA/SEA report)?

- How are the results of public participation taken into account: in report writing and/or improvement of the proposal/plan and/or in decision making?

Best practice principles for this component

- Legal systems may be in conflict with established systems and cause confusion about rights and responsibilities. Therefore public participation should be adapted to the cultural, political, and economic context;
- Public participation should be documented publicly and by an independent body;
- The decision-making body should take due account of the outcome of the public participation;
- Prompt public notification of the decision. The exact content of the decision and the reasons and considerations on which it is based, should be made publicly accessible; and
- Do not ignore objections against public participation; deal with them (see the Table below).

<i>1. It's too early, we have not got a proposal yet</i>	Early public participation will help to avoid rumours and build trust
<i>2. It will take too long and will cost too much</i>	Cost of not involving the public can be even higher, the long term benefits generally outweigh the longer decision-making stage
<i>3. It will stir up opposition and activists will take over the process</i>	Public participation can deal with issues before the opposition raises them
<i>4. We will only hear from the articulate</i>	Focus on the 'silent minority'
<i>5. We will raise expectations we cannot satisfy</i>	Make very clear what already has been decided and on which issues public participation is desired; promised action on decisions that cannot be changed will undermine the public's trust
<i>6. The local community will not understand the issues involved</i>	They will if you keep it simple. Locals have a better understanding of their own surroundings; technicians talk theory, citizens talk practice

Overlap in EIA and SEA

The European Union has acknowledged that situations might arise in which both EIA and SEA are mandatory for the same initiative. Particularly in situations where a project (subject to EIA) also requires a plan change before it can proceed. Generally, in such cases it is recommended that the more strategic assessment of location options is combined with a more detailed assessment of the effects of the realization of the plan. It is important to anticipate this overlap, and consider including a provision for parallel or joint procedures, which meets both EIA and SEA requirements, including public participation requirements taking place only once.



Preparation of the public debates on the new motorway between Sibiu and Pitești (November 2009)

- Quotes from the field -

“Adequate information and active participation of the public is able to add confidence in the decisions taken by the authorities.”

Mr. Octavian Patrascu, director
Permitting and Horizontal Legislation Directorate, NEPA

“Public participation does not imply ‘giving in to demands’. It implies that you consider other interests seriously and deal with them in a fair and reasonable manner.”

Mr. Niels Bijlsma, advisor
Public Inquiry Centre, The Netherlands

“Each person must be aware of the right to participate in the decision-making process related to the environment and of the obligation to protect it.”

Ms. Irina Popa, counsellor
NEPA

“Participation with an open and fair attitude, respect for (opposing) opinions and transparent decision making leads to lasting, good relationships with stakeholders and a significantly lower amount of legal procedures. Public participation is therefore the corner stone of a functioning civil society.”

Mr. Victor Coenen, Dutch expert on public participation

3 Public participation in 6 steps

In general, a public participation process can be divided into six practical steps. Each of these steps is described in the matrix on Page 21. This matrix can be used as a checklist, since it presents the complete structure of a participation process that should be adhered to when designing such a process. In addition, it provides the objectives and key questions regarding each step.

Step 1: describing the project

The purpose of this step is obtaining a clear understanding of the project, so that the participation process can be adapted to the specifics of the project. It is an important step, but not the easiest.

Start by setting up several meetings with the project team that is leading the actual project. Together with the project team, try to clarify several matters.

Firstly, try to clarify what kind of information is really sought from the public. Do you want them to bring up ideas? Or do you want the public to tell you their opinion about the proposed plans?

Secondly, try to get a sense of the actual impact of the planned project. One can imagine that the impact of a plan that aims to build a new airport near a residential area is huge. Many people will be affected, so the reactions of the public will probably be quite negative. On the other hand, if the plan is to build a new passenger bridge to cross a busy road, the impact could be small and reactions will be more positive.

Finally, during this first step, it is useful to consider the various types of stakeholders from whom to expect reactions. For example, how many stakeholder groups do you have to deal with? Concerning the abovementioned example of the construction of a new airport, probably many stakeholders will be affected: the government, the regional authorities, the city council, civilians, travellers, environmentalists, bird-watchers, and so on. In the case of the passenger bridge, perhaps the only stakeholders would be some local inhabitants that might be affected during construction works.

If it is possible, the project team should visit the project area to get a proper impression of the local situation.

Conclusively, the rationale behind this step is: you want to be prepared and you want to know what you can expect. Will there be hundreds of negative and angry reactions or just a few good ideas? So, if there is a clear understanding of the project, the participation process can be adapted to the characteristics of the project in question.

Step 2: announcement

If a project is not announced - i.e. the plan to build a new road or to deepen a waterway - no one will know about the project and nobody can and will participate. The objective of the announcement is to inform and activate the public in an appropriate way.

Some things to consider in this second step are: how to reach the public in the best possible way? For example, placing an advertisement in a local newspaper; designing posters and display these in selected train- and bus stations; disseminating brochures on the streets; or sending all affected stakeholders a personal letter.

Subsequently, it is important to carefully consider the actual message and the tone of the message. A formal- or a more informal tone can be chosen and in some cases even humour can be used to provoke people a little, in order to take some action and participate.

Whatever method is chosen, clear information should be provided about:

- What the project is really about (a brief description of the project);
- How people should participate (give some new ideas or also their opinion?); and
- How to participate (in terms of deadlines and in what particular form).

➔ *TIP: use a map of the project area in the announcement. This can help to describe the project more clearly to the public.*

Step 3: deposition of the documents

If the public is asked to participate, they have to be provided with transparent and clear information about the project and about the public participation procedure. This information can be disseminated via local city halls, be published on the internet, or the public can be provided with a telephone number for more information.

Some key questions concerning this step are:

- Which documents are suitable to share with the public?; and
- What is the actual content of the information that is deposited?

Official documents can be very detailed and difficult to comprehend. In those cases a more user-friendly brochure can be developed and included in the information package, in addition to the official documents. In such a brochure, the project can be summarized, the public can be invited to participate and the procedures and deadlines can be explained.

➔ *TIP: check if the documents that are sent to the city halls are really available for the public.*

Step 4: the public debate

This fourth step is about meeting your public, i.e. the citizens affected by the project. Often a public debate is the first opportunity to meet the public face-to-face. In Chapters 4 and 5, advice is given on the practical organisation of a public debate and on the way of communicating during such a debate.

Step 5: giving comments by the public

Different groups in society prefer different participation methods. Young people might prefer submitting their comments via the internet; other people might prefer a public debate or writing a letter to a Ministry to voice their opinions. The challenge is to offer a variety of methods in order to reach a varied audience.

Step 6: processing and answering the comments

The objective of this final step is to create an overview of the outcomes of the participation process and to communicate about these outcomes as well as about the subsequent stages of the project. In large and sensitive projects, probably large amounts of comments will be submitted and it will take a lot of effort to process them appropriately.

Firstly, after having received the comments, the names and addresses of the persons who responded should be registered, in order to confirm receipt.

Secondly, all reactions should be read and a summary per theme should be drafted. In this way, an understanding of the main themes that are brought forward will emerge. When all comments are grouped per theme, a reaction can be prepared in the form of an answer or a statement. By making a common answer per theme, and then putting all those answers together, a so-called 'answer document' can be drafted.

This document can be sent to all participants by post and be made available at local city halls and on the internet. As part of this document, the public can be informed about the next steps in the project. This varies from informing the public about changes that will be made in the project as a result of useful suggestions, to informing about next decision-making-moments in the project.

➔ *TIP: use understandable language in the answer document.*

Six steps of a public participation process

Step	Activity	Objective	Key questions
1.	Description of the project	Customize the participation process to the specific project	<ul style="list-style-type: none"> – What kind of information can be used on behalf of the project? – What is the impact of the project on the public? – Who is the public in this regard?
2.	Announcement to the public	Inform and activate the public in an appropriate way	<ul style="list-style-type: none"> – How to reach the public in the best possible way? – What should the public know after they read the announcement? – What should the public do after they read the announcement?
3.	Deposition of the documents	Offer information in a transparent way and give the public the opportunity to participate	<ul style="list-style-type: none"> – Which documents are made available to the public? – What is the most suitable way to deposit the documents? – What to do in order to make the information consumer-minded?
4.	Public debate	Give the public the opportunity to obtain information and to give their comments face-to-face	<ul style="list-style-type: none"> – What to obtain during the public debates? – What is the best way to organize the public debates, taking into account the level of resistance and the amount of visitors? – What kind of information does the public need, considering their agenda and motives?
5.	Giving comments by the public	Give the public the opportunity to actively share ideas and/or views	<ul style="list-style-type: none"> – In which different ways can the public share their views and/or give comments? – How to stimulate the public to participate? – What to do in order to support the people that want to participate?
6.	Processing and answering the comments	Make an overview of the participation results and communicate about the answers and next steps taken in the project	<ul style="list-style-type: none"> – What kind of overview of the participation results is needed? – In what way can the answering process be facilitated? – How to give the public an overview of the results and answers, and how to inform them about the next step in the process?

- Quotes from the field -

"Public participation in the decision-making process supports the authorities to undertake what is beneficial both to the local population and to other stakeholders."

Ms. Cristina Cuc, counsellor of European Affairs
General Directorate of Infrastructure and Naval Transport
Ministry of Transport and Infrastructure

"Close collaboration with communities and local organizations represents the key to a successful project."

Ms. Liliana Mara, evaluator
SC TRANSPROIECT SA

"A proper EIA [or SEA] is not a scientific process with social input, rather it is social process with scientific input"

Mr. Rob Verheem, deputy director
Netherlands Commission for Environmental Assessment

"Public participation is an important step towards economic and social development of a community in relation to the health and environmental protection"

Ms. Cecilia Eva Laszlo, counsellor
NEPA

"Public participation can only succeed if the plan developer is willing to put effort and time in the plan process. Developing relationships with stakeholders takes time!"

Mr. Rik Kleinjans, director
Ameco Environmental Services, The Netherlands

4 Preparation of public debates

When it comes to public debates, there is no such thing as being too prepared. There are always going to be questions, situations and possibly disruptions that are not (fully) anticipated on forehand. So, a solid and detailed preparation can be extremely useful in being able to respond with strength and conviction. A golden rule for public participation processes: *“no matter how bad the message, make sure the organisation is impeccable”*.

Therefore, a meeting with the team before the start of the public debates is very important. This provides the opportunity to tune the team and to discuss organisational issues as well as matters concerning the characteristics of the project.

4.1 Organisational issues

The structure of the public debate

Determine the status of the public debate: is it to inform, or will people’s opinion formally be taken into account (public consultation)? Make sure the public is aware of the status of the debate.

Decide how to present the information. One or various presentations can be chosen or a different form, like an ‘information market’.

Decide which who will sit behind the table. Use a maximum of three or four people, with additional experts in the audience that can provide back up if necessary. Furthermore, make agreements on who will chair the debate. This person will be leading the discussion and will open and close the meeting.

In order to make sure people understand and remember the most important information of a public debate, it can be worthwhile to draft a small hand-out in which key information, a time-line of the whole procedure and contact details are outlined.

Decide if texts for hand-outs or other informational materials need to be prepared in advance. These materials can be disseminated at the end of a

public debate and made available through city halls, as well as on the website of municipalities and responsible authorities. Make sure employees of the city hall are aware of the fact that the hand-outs are available.

Make sure that an independent chairman leads the public debate. By doing so, it is prevented that the project leader gets involved in a negative interaction with the public.

Record the public debate on an audiotape and process this into a report.

Date and location

When setting one or more dates for the debate(s), take into account public holidays, notable local events and important sport matches. Take the target group of the public debate into account when selecting a venue and make sure the venue is easily accessible and there are sufficient parking places.

Make a reservation at the selected venue, allowing for the number of people that are assessed to attend. Carefully think about how to position tables and chairs, bearing in mind there should not be too much distance between the experts and the public. This allows the debate to be manageable and intimate.

Determine what kind of technical assistance is necessary (laptop, beamer, flip-over) and make sure to check in advance if the equipment works properly.

Catering

Determine and arrange for catering issues ahead of time and schedule when to allow for a break to serve (non-alcoholic) drinks. Make clear whether consumptions will be provided for by the organisation, or if people are expected to pay for them.

Invitations

Publish an announcement, describing the goal of the meeting as well as the date, time and the location of the venue.

Additionally, letters of invitation can be sent to:

- Those directly affected by the plans or project;
- Involved organisations and interest groups;
- Inhabitants of the plan or project area; and
- Press / media.

It is advisable to publish the announcement and send the invitations at least 14 days in advance.

Example of programme outline

- Opening and welcome by the chairman who will present status and goal of this meeting
- A short elaboration on the plans or project: what is the procedure? What can people expect at which point in time?
- Break (possibility to submit questions)
- Answer questions, allow for additional questions
- Members of the audience can officially state their reactions

4.2 Content of the public debates

Aside from organisational issues, it is vital to meet with the team beforehand in order to tune the team regarding the content of the meeting and discuss the following issues.

Key message

The key message concerns the most essential information regarding the project and the project process. This is the information to be made clear to all the participants during the public debate. The key message can consist of several aspects covering both the content and the process of the project. Therefore, accurately define the key message(s) with the team in a preparatory meeting.

People need to digest a lot of information during a public debate. So, as stated before, in order to make sure people understand the 'key message', it is worthwhile to draft a small hand-out in which the 'key message' and a timeline giving a clear overview of the upcoming period are outlined. If possible, mention a phone number or email address on the hand-out so that people know where to inquire for further information.

During a preparatory meeting for the public debates on the new motorway between Sibiu and Pitești, the following key messages were identified:

- *The economic and social importance of the motorway is made clear. Improved safety will be mentioned in specific.*
- *Natural resources will be affected by the construction of the motorway, but will be avoided as much as possible.*
- *The corridor of the motorway is fixed, but the exact details of the routing of the motorway are still under discussion. People are invited to come up with suggestions.*
- *All owners of properties that will have to be demolished due to the construction of the new motorway will receive compensation in the form of new property or money. The exact compensation will be negotiated case-by-case and be based on the Romanian Law of Utility.*
- *If people want to make suggestions or want to pose questions this can be done orally during the public debates or in written. Reactions to all suggestions and questions will be given in a document that will be made available to the public. Furthermore, all people will receive a personal letter concerning their questions and suggestions.*

Frequently Asked Questions

Frequently Asked Questions (FAQs) are questions that can be expected to be raised during the public debate. Discussing these questions provides the opportunity to discuss possible answers in advance. Agreeing on the answers before the start of the public debates guarantees that all team members agree on the answers, and improvisation – possibly leading to chaotic situations – can be avoided as much as possible.

The first step in identifying the FAQs is to identify the different groups of stakeholders that are expected to pose questions during the public debate. FAQs can be identified for every group and subsequently, answers to the FAQs can be identified and agreed upon.

Most feared questions

Most feared questions are questions touching upon sensitive matters, for instance sensitive 'inside information' regarding the plan or project, which you preferably would not discuss during the public debate. Since these sensitive questions will be difficult to answer, it is important to thoroughly discuss answers to such 'most feared questions' beforehand, with the aim of avoiding improvisation during the debate.

Who is answering which questions?

Decide which expert will be answering which kind of questions. Agreeing on this matter at an earlier time prevents confusion during the public debate, because different team members might want to answer the question or because nobody might feel responsible for answering the question at all.



A public debate on the construction of the new motorway between Sibiu and Pitești (December 2009)

During a preparatory meeting for the public debates on the deepening and broadening of the Danube River, amongst others the following stakeholders and corresponding questions were identified:

Environmental NGOs

- *Which field studies have been done? How many? By whom? And in which period?*
- *How will bird nesting sites be protected during construction works?*

Local inhabitants

- *Will there be any expropriation as a consequence of the project? If so, what will be the compensation?*
- *Will the project affect fishing conditions?*

Local authorities

- *Will the project have an effect on the risk of flooding?*
- *Will construction materials be transported via local roads? If so, who will cover possible damage to the local roads?*

Foreign authorities

- *Will sedimentation of the river increase or decrease?*

Shipping companies

- *Will detours be established during construction works and how will we be informed about this?*
- *Will specific taxes be raised as a consequence of the project?*

5 Communication during debates

The information outlined below is aimed at improving efficient and effective communication in a public meeting between audiences and the experts. Suggestions can help moving a public debate from an emotionally dominated discussion to a more rational level of communication. Suggestions are not designed to manipulate audiences, but to raise the chances of a constructive dialogue. Taking the public seriously will give the plan or project more credibility and could contribute to a more successful implementation of the plan or project in question.

The basic tools for interaction with audiences can be divided into three categories: knowledge, presentation and interaction.

5.1 Knowledge

Not only knowledge on the content and the characteristics of a plan or project is important, also (local) geographical knowledge and knowledge on other important issues in a particular area is vital. 'Knowledge is power' and showing to be aware of what issues are on the 'local agenda' will increase credibility as an expert towards the people present at the public debate.

5.2 Presentation

Non-verbal attitude

Be aware of the fact that 70% of how an audience perceives you results from non-verbal behaviour. Therefore, listen carefully and actively: lean forward, nod when listening and make notes every now and then. These are universally seen as signs of showing interest. Moreover, also try to avoid phone calls and talking with each other whilst another person is speaking.

Be open and honest

Be as open as possible about the project and the related plans and intentions. Openness is recognized by the audience and will lend you credibility. It will also give you self confidence as you have nothing to hide and can speak freely.

Functional use of presentation technique

Present the project as concise as possible, since people will not be able to concentrate on a presentation for a long period of time. If there is much text on each slide of a PowerPoint presentation, people will simply be reading and will not pay much attention to what the speaker is saying. Therefore it is advisable to try to prevent long texts on the slides of a presentation. Instead, only present pictures, straightforward diagrams and a short summary on each slide.

Today, with the aid of technology, the most wonderful visual impressions can be developed and presented to an audience. However, by overusing such techniques, a presentation turns into a commercial advertisement and the audience will perceive it as such. So, tailor the options to your needs.

Balance

Do not overemphasise on sheer promotion of the plan or project: be open about the downside(s) as well. You could even start with the disadvantages. It lends you credibility as the audience sees that you are willing to acknowledge down sides and therefore will be more inclined to believe you when you discuss the benefits of a plan or project.

The level of communication

The level of communication should always be in line with the audience. In general, the education level of the audience is overrated and presentations are too difficult. To be safe: aim for one level lower than you had in mind, to ensure all information is understandable for everybody present.

The local agenda

Often a plan is developed with national or regional objectives and interests in mind. In presentations and discussions, be aware of the fact that most people present will only have a local agenda in mind, as this affects them most directly. Hence, do not forget to focus on the local situation and the underlying considerations.

5.3 Interaction

Although you often communicate to a single person in an audience, the entire audience will be watching you in the process. Your one-on-one communication with an individual has an impact on the audience's opinion of you and the plan or project you represent. By showing respect to this individual and in addressing his or her emotions, you actually show the whole audience that you respect them and respect their opinion as well.

Large audiences tend not to be the right place to address sensitive issues. In discussing difficult and/or sensitive issues, people tend to seek smaller distances to their discussion partners and use low voices. In overcoming greater distances, people will need to raise their voice; a tendency stimulated by the fact that most people are nervous about speaking at public meetings. Bridging distances and making the debate more concise and intimate is therefore of key importance. Consider this whilst arranging the chairs and tables in the location of the public debate, and make sure the distance to the public is limited.

Furthermore, a moderator – with a (wireless) microphone – can move to somebody and create a smaller distance. But you as an expert, far away behind a table, will also have to use your communication skills to bridge this distance. Some useful tips are outlined below.

Show respect in communication

There are no stupid questions, only stupid answers. Treat questions seriously. The audience is watching you.

Although communication can be 'unpolished' from the side of the public, your best option is to remain polite. In case of extreme emotions it is advised to be assertive (which is not the same as aggressive). Assertiveness is setting clear boundaries, but without upsetting the other.

An assertive answer could be:

"Sir, if you continue to shout and interrupt, I will not be able to explain the reasons underlying this plan and I am sure that people in the audience would like to hear these reasons as well. I would therefore like to ask you to allow me to finish my response."

If the interruption continues:

"Sir, I really would like to finish my reply. Please be so kind to allow me the opportunity."

Take time for emotions

It is useless to communicate on a rational level when people are highly emotional. Address the emotions first before returning to the rational level (explaining the plan, for instance is communication on a rational level). By addressing the emotions you show that you care.

Example:

"Sir, I really do understand that you are worried about the impact of the new road on the accessibility of your house and land. I am aware of the fact that these kinds of infrastructure projects have a bad reputation in your village, due to past experiences and I do see that this is a cause for great concern. I can understand this..."

After a pause where you look to the person:

"...but please allow me to explain how we intend to address your concerns..."

The most common mistake is experts not taking enough time to address emotions and focus too much on rational communication. Addressing emotions and fears is often regarded as being weak or as stimulating this kind of (unjust) feelings. However, this is not the case if you are able to be sensitive, reassuring and calm at the same time. By showing your sympathy, you send-out a strong signal that you fully understand what the audience feels. By addressing these emotions first before explaining that the plan does provide safeguards, your message will be much stronger and better received.

Emotions from people can be interrupted effectively by asking return-questions. Any open, non-emotional question will do. If people have to answer questions themselves, they are forced to think. Thinking and shouting at the same time is rather difficult.

Examples of return-questions:

- “*Could you explain to me what your biggest fear is?*”
- “*Where do you live exactly?*”
- “*How long has your family been living there?*”

Showing respect through commitments

The public will regularly ask for some sort of commitments, promises and/or guarantees during public debates. However, these kinds of commitments are often difficult to make. People will consider neglecting making such commitments as disrespectful to their interests. Nevertheless, there is always the so-called ‘process option’ that can be considered in this regard.

Namely, you can always promise to *consider* a suggestion, *discuss* an alternative at a later stage, or meet someone or a group at another occasion, in order to discuss certain issues into more detail. In this way you show that you do care and are interested, while at the same time you do not promise anything else than a ‘course of action’. Reporting back to the person or persons involved on the outcome of the process, however, is a vital part of the success of this approach: do what you promise.

Acknowledge mistakes and feelings

If something did go wrong and everybody is aware of that just admit to it. In addition, do not try to evade ‘public secrets’: it will greatly damage your credibility. Moreover, you will be considered a liar if you do so and the project’s credibility will suffer greatly. If you touch upon sensitive areas, do acknowledge the opinion of the public or the person in question, but do so in a neutral manner.

Example:

"Yes, I am aware of the fact that there is a general feeling in the audience that this project is based on the wrong assumptions."

Keep your dignity

Show self-respect and keep your dignity. This is a sign of strength.

Take a time-out

If emotions run too high and communication is impossible, take a time-out, invite people to have a drink and pause for about 15 minutes. Talk individually to the most outspoken opponents and explain to them that people in the audience would also like to hear about the underlying reasons. Ask for some room to explain. Continue after the break, but do not hesitate to stop the public debate again if communication continues to fail. If necessary, come back another time.

In most cases these so-called 'yellow-' and 'red card' options will suffice in order to generate some room for proper communication.

Humour

Humour is a very strong instrument to relax audiences, but at the same time it is a dangerous option. People can easily be offended by jokes related to their remarks and opinions. If you make a joke: do it carefully, only once, and preferably about yourself.

Conflict reduction

Conflicts are inevitable, whether they are professional, rational disagreements; or strongly emotional, (verbally) aggressive exchanges. Small conflicts can be met with the techniques described before: try keeping the debate concise, show respect and understanding, and being assertive when it comes to demands. When emotions rise, it becomes more difficult to control the discussion: acknowledge the emotion first, before you move on to a more rational level. A few useful techniques when dealing with strong emotions in discussions is summarised below.

Self restraint

Do not raise your voice, do restrain your anger and show controlled strength and confidence: also during turbulent moments in the discussion. Be aware of your body language. You aim to represent calmness and reason and will have to create peace when an audience loses itself and the discussion in emotions. Suspend the discussion for a few minutes when emotions run too high and use a coffee break to talk to the most prominent trouble-makers separately.

Acknowledge emotions

Anger and grief can be difficult in an evening when you – as an expert – try to present rational points of view. But do not bypass the emotion in your drive to come to a rational discussion: acknowledge the feelings of the speaker first. Keep in mind that as long as the emotional level remains high, there can be no discussion on content, and try to bridge to a more rational behaviour while showing respect and understanding for the emotions first.

Divert and 'mirror'

When emotions dominate, you can try to break through the flow of anger or hurt by raising a simple question. Someone is forced to think of an answer and will have to snap out of the emotion, if only for a minute. This creates an opportunity to steer the discussion in a more rational direction.

Use the 'mirror' technique when emotions run very high: summarize and repeat, without adding any new elements to the discussion. Without additional fuel, the 'emotional flame' will die down. After this, restart the dialogue.

5.4 Archetypes

In public debates, one can see patterns in the types of persons standing up and asking questions or raising objections. With controversial projects there are always angry individuals who will shout or express grievances. And often a spokesperson of a local interest group will take the floor on behalf of the audience.

These two so-called archetypes (besides these, four more types will be address below), have their own motives and agenda that brings them to a public debate and which lie behind their way of communicating. If you can identify these archetypes and understand their reasoning, you will be able to adjust your style of communicating accordingly, based on a better understanding of their intentions and motives.

Below, six common archetypes are described, including their underlying motives and the way in which they perceive you as an expert. Suggestions are given on improving communication with each type.

Archetype 1: the Investigator

The most 'neutral' type in the audience is the Investigator. He will raise objective questions out of genuine interest. An Investigator usually is not too sensitive to the mood of an audience because he has his own intrinsic motivation for being there and for raising questions. He considers you as being an expert, and as someone from whom he can derive new, interesting information. If you take his questions seriously and reward these questions with appropriate answers, a neutral and/or pleasant interaction will be the result.

The audience will also have a neutral or positive attitude towards the Investigator, since he often raises questions that others find interesting as well.

Do's:

- Give genuine, solid answers
- When emotions run high with other people: spend time on an Investigator's question to generate some calm with the audience

Don'ts:

- Take his questions lightly

Archetype 2: the Brain

The Brain wants to be recognized as the true expert: his questions are often means to show off an opinion that can be rather eccentric. Questions are not always clear and are often presented as long outlines with twists and turns. The Brain will see you as an intellectual equal at most, but often strongly disagrees with you, based on what he sees as his superior knowledge. He uses the meeting as a platform to outline his ideas and gain recognition as an expert. Remain polite with in your discussion with the Brain. Proposing him if you can get back to him after the meeting, in order to discuss particular issues into more detail, is often a useful technique.

The audience will sometimes back the Brain, but often drops their support when the Brain proves to be too eccentric or when his story drags on too long.

Do's:

- Remain polite, show interest
- Grant recognition, show respect for his knowledge
- Propose to discuss issues into more detail after the meeting

Don'ts:

- Allow the discussion to drag on too long
- Ridicule him and/or his opinion

Archetype 3: the Genuine Expert

The Genuine Expert does not care for any theoretical information surrounding the topic(s) in question: he is an expert through actual practice. His questions are often statements presented with an overload of details to underline his genuine and profound expert-knowledge. In light of the debate, you are regarded as being a 'theoretical expert', who gained knowledge from paper documents instead of from hands-on experience, so the Genuine Expert is not inclined to take you very seriously. He will reject your opinion up front, which creates obvious difficulties in communication. The Genuine Expert truly wants recognition for his practical knowledge.

The audience can perceive the Genuine Expert as someone who really knows what is going on (especially when you, as the expert, can not show the same amount of detailed knowledge) which will lend him support as well as motivation. You risk losing the support of the audience if the Genuine Expert disagrees with you. You can prevent this by thoroughly preparing: visit the project area and be aware the local agenda. During the meeting itself, it is important to bridge the distance between theory and practice.

Do's:

- Prepare thoroughly: have knowledge of the project area
- Relate to the questions, ask for additional information, connect

Don'ts:

- Ignore practical knowledge
- Deploy direct attacks

Archetype 4: the Angry Neighbour

The Angry Neighbour perceives a direct violation of his interests due to the project and strongly voices his disagreement. His questions are often long, emotional monologues expressing anger and dissatisfaction, and can aim at (financial) compensation. Stress from having to speak publicly can also contribute to emotional or irrational speech from an Angry Neighbour. In addition to this, the NIMBY-effect often manifests itself here: "Not In My Back Yard!"

The audience can sympathise with the Angry Neighbour as 'one of them', with the same needs and interests. You as an expert will be depicted as representing an untrustworthy organisation, out to manipulate the audience in favour of your point of view regarding the plan or project at hand.

It is important to acknowledge the emotion, yet stay calm and dignified in doing so. Try to keep the interaction as open as possible and be polite. If emotions run too high, it can help to use the earlier mentioned 'mirror technique'.

Do's:

Calm stressed members of the audience: try to make people feel at ease

- Stay in control and be polite
- Allow room for emotions and acknowledge them
- 'Mirror' when emotions run too high

Don'ts:

- Lose control, verbally or otherwise
- Try to tone down the emotions
- Accept rude behaviour or insults

Archetype 5: the Foreman

The Foreman is usually a local politician or a representative from a local action group. He raises questions not to obtain answers, but to demonstrate that he himself represents the audience and to generate support from that audience. Public meetings on controversial subjects tend to produce at least one Foreman, often used to speaking in public and familiar with both debating- and action techniques: generating media attention to his advantage and causing commotion.

To the audience, the Foreman is someone who speaks their language and who represents them. He often plays a more political game: addressing the authority (or the government) via you as an expert. The risk involved is the meeting turning into a political arena, with the Foreman creating a dilemma for you: should you grant him his platform or not? When you can find out beforehand what his specific agenda is, you may be able to agree with a Foreman the amount of room for discussion you can grant him, without possible political issues fully dominating the debate.

Do's:

- Try to talk to the Foreman before the meeting takes place
- Find out what you can expect, especially in terms of possible disruptions and see if you can agree on the type of action and the amount of time allocated for it

- Determine beforehand if you are willing to grant him a platform (and an audience)
- Consider your own relation with the Foreman

Don'ts:

- Give up control of the meeting, and let the Foreman dominate the discussion and allowing him too much room
- Create a political arena by entering into all his issues

Archetype 6: the Mole

The Mole is someone with sensitive inside information regarding the plan or project that he will use at the public debate. He is often someone who used to work for the involved authorities or organisation(s). Having someone suddenly bring up non-public information can be extremely damaging, especially from a credibility point of view. Your integrity as an expert will be damaged in relation to the audience.

To reduce the effect, you can try to be as honest and open as possible. If you can publicly add some trustworthy counter-information to the information of the Mole, you can regain trust of the audience. However, if the Mole succeeded in publicly presenting a sensitive and/or damaging document, there is little you can do at that point. Openness and honesty beforehand can prevent this type of trouble.

Do's:

- Be honest and open
- Take serious notice of the questions and tone down the content if possible

Don'ts:

- Evade the question



A public debate on the construction of the new motorway between Sibiu and Pitești (December 2009)

Colophon

From Public Debate to Public Dialogue: improving public consultation in SEA and EIA procedures in Romania

Framework G2G-short programme (Government-to-Government)

Dutch Government

Public Inquiry Centre
www.centrumpp.nl



Romanian Government

Ministry of Environment
www.mmediu.ro
National Environmental Protection Agency (NEPA)
www.anpm.ro
Ministry of Transport & Infrastructure / General Directorate of
Infrastructure and Naval Transport
www.mt.ro
National Company for Motorways and National Roads
www.cnadnr.ro



Implementing organisations

Netherlands Commission for
Environmental Assessment
www.eia.nl



Ameco Environmental Services
www.ameco-ut.nl



Funding organisation

NL EVD International / Netherlands Ministry of Economic Affairs
www.evd.nl/business



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